10066302 .061702

JUN 17 2002 PATENT TRADEMARK OFFICE

MITRAL.001CP2

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|---|---|---|
| Applicant | : | Randall T. Lashinski et al. |
| App. No. | : | 10/066,302 |
| Filed | : | January 30, 2002 |
| For | : | MEDICAL SYSTEM AND METHOD FOR REMODELING AN EXTRA-VASCULAR TISSUE STRUCTURE |
| Examiner | : | Unknown |

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and

**App. No.** : [redacted]066,302
**Filed** : January 30, 2002

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

MITRALIFE

Dated: 6-7-02

By: _____
Randall T. Lashinski

Title: Vice President, Research & Development

Address: 355 Tesconi Circle
Santa Rosa, CA 95401

H:\DOCS\GVH\GVH-4476.DOC
042302

COPY

Application No.: 10/066,302
Filing Date: January 30, 2002

**PATENT**
Client Code: MITRAL.001CP2


**ASSIGNMENT**

WHEREAS, We, Randall T. Lashinski, a United States citizen, residing at 675 Pleasant Avenue, Santa Rosa, CA 95403, Matthew J. Birdsall, a United States citizen, residing at 4012 Polled Hereford Drive, Santa Rosa, CA 95404; Michael D. Lesh, M.D., a United States citizen, residing at 301 Monte Vista, Mill Valley, CA 94941, have invented certain new and useful improvements in a MEDICAL SYSTEM AND METHOD FOR REMODELING AN EXTRAVASCULAR TISSUE STRUCTURE for which we have filed an application for Letters Patent in the United States, Application No. 10/066,302 filed January 30, 2002;

AND WHEREAS, MITRALIFE (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 355 Tesconi Circle, Santa Rosa, CA 95401, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar ($1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of June, 2002

Randall T. Lashinski

STATE OF California
COUNTY OF Sonoma } ss.

On 6/7/02, before me, Sheila A. Moore, personally appeared Randall T. Lashinski personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

SHEILA A. MOORE
Commission # 1254488
Notary Public - California
Sonoma County
My Comm. Expires Mar 22, 2004

Sheila A Moore
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7th day of June, 2002

Matthew J. Birdsall

STATE OF California }
COUNTY OF Sonoma } ss.

On 6/7/02, before me, Sheila A. Moore, personally appeared Matthew J. Birdsall personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

SHEILA A. MOORE
Commission # 1254488
Notary Public - California
Sonoma County
My Comm. Expires Mar 22, 2004

Sheila A Moore
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____ day of _____, 20__.

Michael D. Lesh, M.D.

STATE OF
COUNTY OF } ss.

On _____, before me, _____, personally appeared Michael D. Lesh, M.D. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____ day of _____, 20__.

_____
Matthew J. Birdsall

STATE OF }
} ss.
COUNTY OF }

On _____, before me, _____, personally appeared Matthew J. Birdsall personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

_____
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 5 day of June, 2002

_____
Michael D. Lesh, M.D.

STATE OF California
COUNTY OF Santa Clara } ss.

On June 5, 2002, before me, Lou Poulain, personally appeared Michael D. Lesh, M.D. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

_____
Notary Signature

LOU POULAIN
Commission # 1318721
Notary Public - California
Santa Clara County
My Comm. Expires Aug 24, 2005